

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

_____)
Hikari Sales USA, Inc.,)

Petitioner,)

v.)

Ralston Purina Company Corporation,)

Registrant.)
_____)

05-13-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service. Express Mail Label No. 2V1388976105 in an envelope addressed to:

BOX TTAB NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Jaclyn Brody
Jaclyn Brody

5/13/03
Date

Cancellation No. 92041681
For the Mark: FIRST-BITE

Motion on Consent To Extend Registrant's Time to Answer

Pursuant to TBMP §§ 316.03 and 509, Registrant Nestle Purina PetCare

Company, formerly known as Ralston Purina Company Corporation, hereby requests that the Board grant it a 30 day extension to file an answer to the Petition to Cancel. The grant of this motion would extend the time to answer from May 13, 2003 to and including June 12, 2003.

Good cause exists in that the parties are attempting to negotiate a settlement to this proceeding. This motion is made in good faith and without any intent to cause delay or prejudice.

Petitioner's correspondent, Christopher K. Clevers, consented to this extension on May 13, 2003.

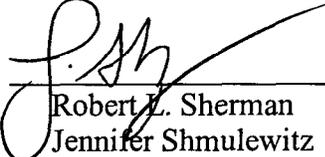
Two copies of this request are submitted along with the original.

Dated: May 13, 2003

Respectfully submitted,

PAUL, HASTINGS, JANOFSKY
& WALKER LLP

By:



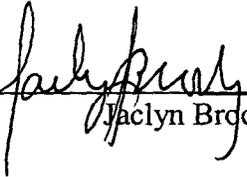
Robert L. Sherman
Jennifer Shmulewitz

Attorneys for Registrant
75 E. 55th Street
New York, New York 10022
212-318-6000

Certificate Of Service

I hereby certify that the foregoing Motion on Consent to Extend Registrant's Time to Answer was served on this 13th day of May 2003 by delivering a true and correct copy of same by first class mail to:

Christopher K. Clevers
Hikari Sales USA, Inc.
2804 McCone Avenue
Hayward, CA 94545



Jaclyn Brody

PaulHastings

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05-13-2003

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May 13, 2003

36375.00001

Via Express Mail Post Office to Addressee

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Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Re: *Cancellation No. 92041681*

Dear Sir/Madam:

Transmitted herewith is a Motion On Consent To Extend Registrant's Time To Answer
in the above-referenced proceeding.

Very truly yours,



Jennifer Shmulewitz
for PAUL, HASTINGS, JANOFSKY & WALKER LLP

Enclosures

cc: Christopher K. Clevers, Esq.
Bonnie Sparks, Esq.
Robert L. Sherman, Esq.